

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL RUSSELL TORRES,

Defendant.

CR 22-07-M-DWM

ORDER

Defendant Michael Russell Torres has filed an unopposed motion to vacate the bond revocation hearing scheduled for April 8, 2022 on the ground that he does not wish to contest his detention prior to trial. Defense counsel represents to the Court that Defendant knowingly, intelligently, and voluntarily waives his right to a hearing on this matter and on his current and continued detention. (Doc. 24).

Pursuant to 18 U.S.C. § 3148(b)(1), and based on the record in this case, the Court finds there is clear and convincing evidence that Defendant violated conditions of his release as alleged. Further, pursuant to § 3148(b)(2), and based on Defendant's conduct while on pretrial release, the Court finds he is unlikely to abide by any condition or combination of conditions if the Court were to continue him on pretrial release. Accordingly,

IT IS ORDERED that Defendant's motion to vacate his bond revocation hearing (Doc. 24) is **GRANTED** and Defendant's pretrial release is hereby revoked.

IT IS FURTHER ORDERED the Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 7th day of April, 2022.



Kathleen L. DeSoto
United States Magistrate Judge